



CITY OF MEMPHIS

COUNCIL AGENDA

June 21, 2016

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (June 7, 2016)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION congratulating Ian Clark for a record breaking season as a player with Golden State Warriors. This resolution is sponsored by Councilwoman Swearengen.

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION to celebrate the life of and to concur with Lifeline of Success' selection of Officer Verdell Smith, as its Father of the Year, as part of the "Thousand Fathers March". This resolution is sponsored by Chairman Conrad.

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

3.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a street dedication located south of U.S. Hwy 64 at the southern terminus of Roland Road, containing 0.82 acre (35,720 sq. ft.) in the Rural, undedicated roadbed in Conservation Agricultural (CA) District. This resolution is sponsored by the Office of Planning & Development. (Held from 3/15)

Case No. SD 16-01

Applicant: First Alliance Bank
SR Consulting, LLC – Representative

Request: Dedicate right-of-way 50 feet in width and 625 feet in length for an extension of Roland road at the southern terminus of an existing public roadway

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

4.

Morgan
Chairman,
Public Safety
& Homeland
Security
Committee

ORDINANCE to amend Ordinance No. 5586, regarding the Citizen's Law Enforcement Review Board, to conform with State and Municipal Law regarding open meetings and subpoena powers, and for other general matters, up for S E C O N D reading. Ordinance No. 5620 is sponsored by Councilman Morgan.

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING

5.

Colvett
Chairman,
Planning &
Zoning
Committee

ORDINANCE rezoning 480 W. Brooks Road (North side of W. Brooks Road; +/- 107.60 feet east of Ford Road), containing 0.22 acre (9,583.20 sq. ft.), in the Residential Single Family (R-6) District, up for S E C O N D reading. This ordinance is sponsored by the Office of Planning and Development.

Case No. Z 16-02
Ordinance No. 5621

Applicants: Ernest C. Withers, Sr. Family
Andrew Rome Withers – Representative

Request: Residential Single Family Historic (R-6[H]) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

ENGINEERING

6. RESOLUTION approving CLARKE ROAD INTERMODAL YARD, and authorizing release of bond.

Case No. PD 12-322
(Contract No. CR-5197)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the east side of Clarke Road, 1320' north of E. Shelby Dr. The standard improvement contract was approved on June 18, 2013. Resolution also authorizes the release of the letter of credit in the amount of \$156,300.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD (None)



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FISCAL CONSENT AGENDA

7. RESOLUTION seeking acceptance for donation of a basketball goal. The donation has an estimated value of \$180.00. The donor is Bobby White with the Basketball Cop Foundation from Gainesville, Florida. **See attachment A.** This resolution is sponsored by Public Safety & Police Services.

Homeland Security

Committee

ACTION REQUESTED: Adopt the resolution

8. RESOLUTION seeking acceptance of a donation in the amount of \$175.00 from Thomas and Carolyn Bendall, as awarded to the City of Memphis Police Department for C.O.P. fashion show. This resolution is sponsored by Police Services.

Public Safety &

Homeland Security

Committee

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION seeking acceptance of a donation in the amount of \$625.00 from 100 Club of Memphis, as awarded to the City of Memphis Police Department for Family Day. This resolution is sponsored by Police Services.

Public Safety &

Homeland Security

Committee

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

10. RESOLUTION awarding Contract No. 11888, UPS/PDU Electric Operations Maintenance, to Electronic Power Systems, Incorporated, in the funded amount of \$97,400.00.
11. RESOLUTION approving Change No. 8 to Contract No. 10863, Blue Pumpkin Software License Support Services, with Verint, Incorporated, in the funded amount of \$945,625.64. (This change is to increase the current contract in the funded amount of \$74,989.09 to cover annual software maintenance and support services for the current term ending July 31, 2017. The amount to cover the current contract term is \$150,060.27; however, the current contract balance is \$75,071.28. Therefore, MLGW is requesting the funded amount of \$74,989.09 to cover the shortfall which was due to an upgrade in the existing licenses. The upgrade in the licensing resulted in an increase in the costs of annual maintenance and support services for this term. In addition, this change is to renew the current contract for annual software maintenance, support, and licensing fees for the period covering August 1, 2017 through July 31, 2022 in the funded amount of \$870,636.55.)
12. RESOLUTION approving payment of an invoice from Platts, for annual subscription services, in the funded amount of \$34,800.00.
13. RESOLUTION approving Change No. 2 to Contract No. 11527, 10 Megabits Per Second (MBPS) Metro Ethernet for Liquified Natural Gas (LNG) Arlington, with AT&T, Incorporated, in the funded amount of \$10,800.00. (This change is to renew the current contract for the second and final renewal term covering the period July 23, 2016 through July 22, 2017, with no increase from the previous year.)
14. RESOLUTION awarding a contract to Logicalis, Inc., for Citrix Software subscription renewal, in the amount of \$69,701.00.
15. RESOLUTION awarding a thirty-six month contract for utility bill envelopes, to Mac Papers Envelope Converters, in the amount of \$504,637.56.



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REGULAR AGENDA

GENERAL ORDINANCE – THIRD AND FINAL READING

16.
Ford
Chairman,
Budget
Committee

ORDINANCE to amend Title 5, Chapter 5-20 of the Memphis Municipal Code to modify the use of the existing Hotel/Motel Occupancy Tax for the period from December 1, 2015 to June 30, 2016, up for T H I R D and F I N A L reading. Ordinance No. 5619 is sponsored by Finance Division.

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

17.
Brown
Chairman,
Housing &
Community
Development

RESOLUTION adopting and approving the Redevelopment Plan known as the South City Urban Renewal Plan. This resolution is sponsored by Housing & Community Development.

ACTION REQUESTED: Adopt the resolution

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION

18. JOINT City Council and MLGW Board RESOLUTION requesting strong African-American-owned business, women-owned business, and other minority owned business participation goals for the Allen Power Plant project. This resolution is sponsored by MLGW Division.

Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC WORKS

19. RESOLUTION approving a construction project to rehabilitate a sanitary sewer lift station with the restoration of existing pumps, force main cleaning, valves, and certain other appurtenances at the Harbor Avenue Lift Station, in the amount of \$4,620,000.00. This resolution is sponsored by Public Works Division.

Hedgepeth
Chairman,
Public Works,
Transportation &
General Services
Committee

ACTION REQUESTED: Adopt the resolution

20. RESOLUTION to permit transfer of ownership of Frisco 1351 Locomotive to the City of Collierville, contingent upon restoring and maintaining the locomotive. This resolution is sponsored by Law Division.

Hedgepeth
Chairman,
Public Works,
Transportation &
General Services
Committee

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

21. AMENDED AND RESTATED RESOLUTION determining and approving the total amount to be paid as a tax equivalent from the City's Gas System and providing for the allocation and distribution of the total tax equivalent payment among the city and other taxing jurisdictions in Shelby County for Fiscal Year 2016. This resolution is sponsored by MLGW Division.
- Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION accepting a \$25,000.00 Recycling Partnership Grant to assist in in developing and maintaining education in community outreach for the City of Memphis' Recycling program. This resolution is sponsored by Public Works Division.
- Hedgepeth
Chairman,
Public
Works,
Transportation
& General Services
Committee

ACTION REQUESTED: Adopt the resolution

23. **REFERENDUM ORDINANCE** amending Article 65, Section 691 and 693 of the Charter of the City of Memphis, same being Chapter 11 of the Acts of 1979, Pursuant to the provisions of Article 11, Section 9 of the Constitution of the State of Tennessee Home Rule Amendment relative to distribution of payments in Lieu of Taxes by MLGW to the City of Memphis, up for F I R S T. Ordinance No. 5622 is sponsored by Councilman Ford.
- Consent
Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

24. **REFERENDUM ORDINANCE** amending Article 27, Section 190 of The Charter of the City of Memphis same being Chapter 11 of the Acts of 1879, Pursuant to the provisions of Article 11, Section 9 of the Constitution of the State of Tennessee Home Rule Amendment so as to require that All Employees must live and maintain a Residence within the boundaries of the City of Memphis, Tennessee, up for F I R S T reading. Ordinance No. 5623 is sponsored by Councilman Jones.
- Consent
Conrad
Chairman,
Executive
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

25. **ORDINANCE** to amend the Council Meeting dates for August 2016 only, from the first and third Tuesday to the second and fourth Tuesday in August, up for F I R S T reading. Ordinance No. 5624 is sponsored by Councilman Ford.
- Consent
Conrad
Chairman,
Executive
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

ADD-ONS

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Held until July 5, 2016
2. Approved
3. Held until September 20, 2016
4. Through 25 – Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF JUNE 7, 2016 MEETING

Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #16, #21, #22, Special Item #1 & Special Item #2 from tonight's meeting

Approved